

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

KALEKI OLIVER,) CV NO. 04-00409 HG/BMK
Plaintiff,)
vs.) DECLARATION OF RANDALL
OHANA PACIFIC MANAGEMENT INC.;) HATA
HALE KUPUNA HERITAGE HOME,)
LLC, JORDAN GOMEZ; and KURT)
AKAMINE,)
Defendants.)

DECLARATION OF RANDALL HATA

RANDALL HATA declares the following:

1. I am the Chief Financial Officer (“CFO”) of Ohana Pacific Management Company, Inc. (“Ohana Pacific”), which was formerly known (until November 1, 2002) as Na’aupono Management Company, Inc. Ohana Pacific is a Hawaii corporation. I have been the Secretary and Treasurer of the corporation since its inception in 2001. I make this Declaration upon facts and information personally known to me except in those instances where statements are made upon information and belief and, in those instances, I believe them to be true.

EXHIBIT A

2. In my capacity as CFO, Ohana Pacific's accounting, financial and payroll functions are under my supervision. I have personally reviewed Ohana Pacific's payroll records for the years 2002 and 2003. Ohana Pacific employed only one employee in 2002. This is the total number of employees employed by Ohana Pacific at any time during 2002. Therefore, at no time during 2002 did Ohana Pacific employ 15 or more employees.

3. Ohana Pacific employed a total of 14 employees in 2003. This is the total number of employees employed by Ohana Pacific at any time during 2003. Therefore, at no time during 2003 did Ohana Pacific employ 15 or more employees.

4. Neither Kurt Akamine, Jordan Gomez nor Kaleki Oliver are or have been employees of Ohana Pacific.

5. Ohana Pacific is Hawaii corporation and a separate corporate entity from Hale Kupuna Heritage Home, LLC.

6. Ohana Pacific does not direct or control personnel decisions for Hale Kupuna Heritage Home, LLC ("Hale Kupuna"). Specifically, for example, Ohana Pacific does not determine who is hired by Hale Kupuna, whether discipline is imposed on a Hale Kupuna employee, or whether to terminate a Hale Kupuna employee. Ohana Pacific has not made any employment decisions or with respect to Plaintiff Kaleki Oliver.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury
that the foregoing is true and correct.

Executed on December 14, 2005.



RANDALL HATA